

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

FILED
U.S. BANKRUPTCY COURT

2019 FEB 14 P 12:03

In re,)
BENJAMIN KLEIN,)
PO Box 747)
Monsey NY 10952)
SSN xxx-xx-7215)
Debtor(s).)

Case No. 18-23417 RDD
Chapter 13

S.D. OF N.Y.

BENJAMIN KLEIN,)
)
Plaintiff(s),)
)
vs.)
)
Moshe Leib (Moses) Witriol, Yitzchok)
Dov (Isaac, George) Fisch, Rabbi)
Gabriel Stern, Zalman Dov Klein, Malky)
Fisch, Dina Klein, Aryeh Gutman,)
Schlomo Gutman, Aron Eagle, Jacob)
(Yossi) Eagle, Esther Klein, Avraham)
Lehrer, (& upon leave granted) Joseph)
Maria, and Does 1-100,)
)
Defendant(s).)

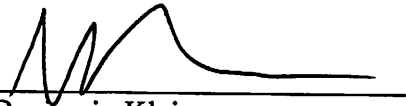
Adversary No. 19-08200 RDD

**REQUEST FOR
CERTIFICATE OF DEFAULT**

TO: CLERK OF THE COURT
UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

Please enter the default of defendant(s), Zalman Dov Klein,, Dina Klein, Aryeh Gutman, Schlomo Gutman, Aron Eagle, Jacob (Yossi) Eagle, Avraham Lehrer, Joseph Maria, pursuant to Rule 55(a) of the Federal Rules of Civil Procedure for failure to plead or otherwise defend this action as fully appears from the court file herein and from the attached affirmation of Plaintiff.

Dated: February 14, 2019

By: 
Benjamin Klein
PO Box 747 Monsey NY 10952
845-694-4578 benmail914@gmail.com

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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(Yossi) Eagle, Esther Klein, Avraham)
Lehrer, (& upon leave granted) Joseph)
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Adversary No. 19-08200 RDD

**AFFIRMATION IN SUPPORT
OF REQUEST FOR
CERTIFICATE OF DEFAULT**

State of New York,)
)
County of Rockland) ss:

Benjamin Klein hereby declares as follows:

1. He is the Plaintiff in this action.
2. This action was commenced pursuant to Summons and Complaint Docs 1 and 2 in this action.
3. The time for defendant(s), Zalman Dov Klein,, Dina Klein, Aryeh Gutman, Schlomo Gutman, Aron Eagle, Jacob (Yossi) Eagle, Avraham Lehrer, Joseph Maria, to answer or otherwise move with respect to the complaint herein has expired.
4. Defendant(s), Zalman Dov Klein,, Dina Klein, Aryeh Gutman, Schlomo Gutman, Aron Eagle, Jacob (Yossi) Eagle, Avraham Lehrer, Joseph Maria, has not answered or otherwise moved with respect to the complaint, and the time for defendant(s) Zalman Dov Klein,, Dina Klein, Aryeh Gutman, Schlomo Gutman, Aron Eagle, Jacob (Yossi) Eagle, Avraham Lehrer, Joseph Maria, to answer or otherwise move has not been extended.

5. That defendant(s) Zalman Dov Klein,, Dina Klein, Aryeh Gutman, Schlomo Gutman, Aron Eagle, Jacob (Yossi) Eagle, Avraham Lehrer, Joseph Maria, is not an infant or incompetent. Defendant(s) Zalman Dov Klein,, Dina Klein, Aryeh Gutman, Schlomo Gutman, Aron Eagle, Jacob (Yossi) Eagle, Avraham Lehrer, Joseph Maria, is not presently in the military service of the United States as appears from facts in this litigation.

6. Defendant(s) Zalman Dov Klein,, Dina Klein, Aryeh Gutman, Schlomo Gutman, Aron Eagle, Jacob (Yossi) Eagle, Avraham Lehrer, Joseph Maria, is indebted and a grave danger to Plaintiff, Benjamin Klein, as described in the Summons and Complaint (Doc 1 and 2), Causes of Actions, Count 1-9, incorporated herein.

WHEREFORE, Plaintiff Benjamin Klein requests that the default of defendant(s) Zalman Dov Klein,, Dina Klein, Aryeh Gutman, Schlomo Gutman, Aron Eagle, Jacob (Yossi) Eagle, Avraham Lehrer, Joseph Maria, be noted and a certificate of default issued. I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information and belief, that the amount claimed and the injunctive relief requested is justly due to Plaintiff, and that no part thereof has been paid.

Dated: 2/14/19

By: 

Benjamin Klein
PO Box 747 Monsey NY 10952
845-694-4578 benmail914@gmail.com

Sworn to before me this 14 day
of FEBRUARY, 2019


Notary Public

CABRERA JANETH MAGALI
Notary Public, State of New York
No. 01CA6308495
Qualified in Rockland County
My Commission Expires Jul 28, 2022

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Chapter 13

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Plaintiff(s),)
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Moshe Leib (Moses) Witriol, Yitzchok)
Dov (Isaac, George) Fisch, Rabbi)
Gabriel Stern, Zalman Dov Klein, Malky)
Fisch, Dina Klein, Aryeh Gutman,)
Schlomo Gutman, Aron Eagle, Jacob)
(Yossi) Eagle, Esther Klein, Avraham)
Lehrer, (& upon leave granted) Joseph)
Maria, and Does 1-100,)

Defendant(s).)

CERTIFICATE OF DEFAULT

I, _____, Clerk of Court of the United States Bankruptcy Court for the Southern District of New York, do hereby certify that the defendant Zalman Dov Klein has not filed an answer or otherwise moved with respect to the complaint herein. The default of defendant Zalman Dov Klein is hereby noted pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

Dated: _____, New York
_____, 20____

_____, Clerk of Court

By: _____
Deputy Clerk

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Schlomo Gutman, Aron Eagle, Jacob)
(Yossi) Eagle, Esther Klein, Avraham)
Lehrer, (& upon leave granted) Joseph)
Maria, and Does 1-100,)
)

Defendant(s).

CERTIFICATE OF DEFAULT

I, _____, Clerk of Court of the United States Bankruptcy Court for the Southern District of New York, do hereby certify that the defendant Dina Klein has not filed an answer or otherwise moved with respect to the complaint herein. The default of defendant Dina Klein is hereby noted pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

Dated: _____, New York
_____, 20____

_____, Clerk of Court

By: _____
Deputy Clerk

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re,)
BENJAMIN KLEIN,)
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Debtor(s).)

Case No. 18-23417 RDD
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BENJAMIN KLEIN,)
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Adversary No. 19-08200 RDD

Moshe Leib (Moses) Witriol, Yitzchok)
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Gabriel Stern, Zalman Dov Klein, Malky)
Fisch, Dina Klein, Aryeh Gutman,)
Schlomo Gutman, Aron Eagle, Jacob)
(Yossi) Eagle, Esther Klein, Avraham)
Lehrer, (& upon leave granted) Joseph)
Maria, and Does 1-100,)
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Defendant(s).)

CERTIFICATE OF DEFAULT

I, _____, Clerk of Court of the United States Bankruptcy Court for the Southern District of New York, do hereby certify that the defendant Aryeh Gutman has not filed an answer or otherwise moved with respect to the complaint herein. The default of defendant Aryeh Gutman is hereby noted pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

Dated: _____, New York
_____, 20____

_____, Clerk of Court

By: _____
Deputy Clerk

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re,)
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Monsey NY 10952)
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Debtor(s).)

Case No. 18-23417 RDD
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BENJAMIN KLEIN,)
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Plaintiff(s),)
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vs.)

Adversary No. 19-08200 RDD

Moshe Leib (Moses) Witriol, Yitzchok)
Dov (Isaac, George) Fisch, Rabbi)
Gabriel Stern, Zalman Dov Klein, Malky)
Fisch, Dina Klein, Aryeh Gutman,)
Schlomo Gutman, Aron Eagle, Jacob)
(Yossi) Eagle, Esther Klein, Avraham)
Lehrer, (& upon leave granted) Joseph)
Maria, and Does 1-100,)
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Defendant(s).)

CERTIFICATE OF DEFAULT

I, _____, Clerk of Court of the United States Bankruptcy Court for the Southern District of New York, do hereby certify that the defendant Schlomo Gutman has not filed an answer or otherwise moved with respect to the complaint herein. The default of defendant Schlomo Gutman is hereby noted pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

Dated: _____, New York
_____, 20____

_____, Clerk of Court

By: _____
Deputy Clerk

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vs.)
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Gabriel Stern, Zalman Dov Klein, Malky)
Fisch, Dina Klein, Aryeh Gutman,)
Schlomo Gutman, Aron Eagle, Jacob)
(Yossi) Eagle, Esther Klein, Avraham)
Lehrer, (& upon leave granted) Joseph)
Maria, and Does 1-100,)

Defendant(s).)

CERTIFICATE OF DEFAULT

I, _____, Clerk of Court of the United States Bankruptcy Court for the Southern District of New York, do hereby certify that the defendant Aron Eagle has not filed an answer or otherwise moved with respect to the complaint herein. The default of defendant Aron Eagle is hereby noted pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

Dated: _____, New York
, 20____

_____, Clerk of Court

By: _____
Deputy Clerk

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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(Yossi) Eagle, Esther Klein, Avraham)
Lehrer, (& upon leave granted) Joseph)
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Defendant(s).)

CERTIFICATE OF DEFAULT

I, _____, Clerk of Court of the United States Bankruptcy Court for the Southern District of New York, do hereby certify that the defendant Jacob (Yossi) Eagle has not filed an answer or otherwise moved with respect to the complaint herein. The default of defendant Jacob (Yossi) Eagle is hereby noted pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

Dated: _____, New York
_____, 20____

_____, Clerk of Court

By: _____
Deputy Clerk

UNITED STATES BANKRUPTCY COURT
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Fisch, Dina Klein, Aryeh Gutman,)
Schlomo Gutman, Aron Eagle, Jacob)
(Yossi) Eagle, Esther Klein, Avraham)
Lehrer, (& upon leave granted) Joseph)
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Defendant(s).)

CERTIFICATE OF DEFAULT

I, _____, Clerk of Court of the United States Bankruptcy Court for the Southern District of New York, do hereby certify that the defendant Avraham Lehrer has not filed an answer or otherwise moved with respect to the complaint herein. The default of defendant Avraham Lehrer is hereby noted pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

Dated: _____, New York
_____, 20____

_____, Clerk of Court

By: _____
Deputy Clerk

UNITED STATES BANKRUPTCY COURT
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CERTIFICATE OF DEFAULT

I, _____, Clerk of Court of the United States Bankruptcy Court for the Southern District of New York, do hereby certify that the defendant Joseph Maria has not filed an answer or otherwise moved with respect to the complaint herein. The default of defendant Joseph Maria is hereby noted pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

Dated: _____, New York
_____, 20____

_____, Clerk of Court

By: _____
Deputy Clerk

CERTIFICATE OF SERVICE

State of New York)

County of Rockland)

I, Bertin Belony (name), certify that service of Certificate of Default

documents titled Klein vs. Witriol was made 2/14/2019 (date) by:

☒ Mail service: Regular, first class United States mail, postage fully pre-paid,
and addressed to:

Moshe Leib (Moses) Witriol 417 Schunnemunk Rd. Highland Mills, NY 10930	Zalman Dov Klein 37 Rodney St. Brooklyn NY 11249	Aron Eagle 1418-48 th St. Brooklyn NY 11219
Kiryas Joel (Police) Department of Public Safety Moshe Leib (Moses) Witriol 158 Schunnemunk Rd. Monroe NY 10950	Dina Klein, 37 Rodney St. Brooklyn NY 11249	Jacob (Yossi) Eagle 5717-19 18 th Avenue Brooklyn NY 11204
Marc Stuart Goldberg 670 White Plains Road Suite 121 Scarsdale, NY 10583	Aryeh Gutman 1451 45 th St. Brooklyn NY 11219	Avraham Lehrer 6 Karen Drive Spring Valley NY 10977
Robinson Brog Leinwand Greene Genovese & Gluck P.C. 875 Third Avenue New York NY 10022	Schlomo Gutman 34 Whispering Pine Lane Lakewood NJ 08701	Joseph Maria 301 Old Tarrytown Rd. White Plains NY 10603

☐ Personal Service: By leaving the process with the defendant or with an officer or
agent of defendant at:

If service was made by personal service, by residence service, or pursuant to state law, I further
certify that I am, and at all times during the service of process was, not less than 18 years of age and
not a party to the matter concerning which service of process was made.

Under penalty of perjury, I declare that the foregoing is true and correct.

Date 2/14/2019 Signature 

Print Name: Bertin Belony

Sworn to before me this 14

Business Address: 18 Fredheer drive

day of FEBRUARY, 2019

Spring valley, NY 10977

GABRERA JANETH MAGALI
Notary Public, State of New York
No. 010A6308495
Qualified in Rockland County
My Commission Expires Jul 28, 2022

